Before the FEDERAL COMMUNICATIONS COMMISSION Washington DC 20554-0001

In the Matter of:]
]
Rulemaking under Part 97 of the Communications]
Act of 1934, as amended to Establish Technical	Ī
Standards for Certain Amateur Radio Telephony	M-10740
Transmissions	Ī

COMMENTS ON PETITION FOR RULEMAKING

- 1. David B. Popkin hereby submits his Comments in the Petition for Rulemaking filed on May 27, 2003, by Michael D. Lonneke, WOYR and Melvin J. Ladisky, W6FDR ["Petition"]. The Petition requests the Commission to limit amateur radio stations utilizing J3E emission to a maximum bandwidth of 2.8 kHz when operating on frequencies below 28.8 MHz and to limit A3E emission similarly to a maximum bandwidth of 5.6 kHz.¹
- 2. Attached to the Petition is a letter sent by the Commission on April 3, 2003 to the licensee of Amateur Radio Station W2ONV.² The various points made in this letter should be sufficient to control the alleged problem claimed in the Petition.
- 3. Establishing specific bandwidth limitations would limit continuation and extension of the amateur's proven ability to contribute to the advancement of the radio art. ³
- 4. While I believe that the existing rules and operating policies are sufficient to control the alleged problem without the need for a rule change, establishing the requirements to be less than the nominal 3 kHz bandwidth for J3E emission and 6 kHz for A3E emission will provide an unwarranted and unneeded burden on the amateur radio community. Petitioners claim that many amateur transmitters already meet the 2.8 kHz standard and

¹ Petition at 4

FCC Rules Section 97.1(b)

those that would not meet the standard could be corrected by a simple "high pass" audio circuit installed between a microphone of a station and the microphone input. 4

- 5. The final sentence on page 5 of the Petition ⁵ states the real problem in this request for rulemaking. If the Commission were to establish rules limiting the bandwidth of a J3E signal to 2.8 kHz and of an A3E signal to 5.6 kHz, it would force Amateur Radio operators to purchase expensive equipment to continually evaluate the occupied bandwidth of their signals to ensure compliance with the regulations. This equipment would cost far more than the \$15 or \$25 claimed by the Petitioners as the cost for those amateurs utilizing transmitters not meeting the standard. ⁶ All stations utilizing J3E or A3E emission below 28.8 MHz would be required to purchase this monitoring equipment. Few, if any, Amateur Radio stations already possess the necessary equipment.
- 6. A similar rule compliance issue exists with Amateur Radio operators complying with the transmitter power standards. ⁷ While most amateur transmitters operating below 30 MHz already have the capability to measure the power of the transmitter, most stations are operating well below the 1.5 kW PEP limitation. Therefore, an amateur utilizing a 100-watt transmitter would not need special equipment to ensure that the operation met the 1500-watt limitation of the Rules. Furthermore, one would not have to continually monitor the operation of the transmitter to ensure compliance.
- 7. For the reasons stated, I request that the Commission deny the Petition for Rulemaking.

Respectfully submitted,

David B. Popkin PO Box 528 Englewood NJ 07631-0528 July 21, 2003

⁴ Petition at 5

⁵ Most certainly such a device will not guarantee that signals wider than *dejure* standards do not appear but it will go far towards dealing with the problems that are the basis of the complaint in this Petition.

⁶ Petition at 5

⁷ FCC Rules Section 97.313